United Nations S/2013/444

Security Council

Distr.: General
26 July 2013

Original: English

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo

I. Introduction and Mission priorities

1. The present report is submitted pursuant to Security Council resolution 1244 (1999), by which the Council decided to establish the United Nations Interim Administration Mission in Kosovo (UNMIK) and requested that I report at regular intervals on the implementation of its mandate. It covers the activities of UNMIK, and developments related thereto, from 23 April to 15 July 2013.

2. The priorities of the Mission remain to promote security, stability and respect for human rights in Kosovo and in the region. In furtherance of its goals, UNMIK continues constructive engagements with Pristina and Belgrade, all communities in Kosovo, and regional and international actors. The Organization for Security and Cooperation in Europe (OSCE) and the Kosovo Force (KFOR) continue to perform their roles within the framework of Security Council resolution 1244 (1999). The European Union Rule of Law Mission (EULEX) continues its presence in Kosovo in line with Security Council presidential statement of 26 November 2008 (S/PRST/2008/44) and my report of 24 November 2008 (S/2008/692). The United Nations agencies, funds and programmes continue to work closely with the Mission.

II. Political developments

3. Following the "First agreement on principles governing the normalization of relations" of 19 April 2013, initialled by Pristina and Belgrade (see S/2013/254, para. 4), political developments during the reporting period centred on initial implementation of the agreement.

4. In Brussels, a series of high-level consultations between Belgrade and Pristina, led by Prime Ministers Ivica Dačić and Hashim Thaçi and facilitated by the European Union High Representative for Foreign Affairs and Security Policy, Catherine Ashton, resulted in a further agreement on 22 May on an implementation plan for the 19 April agreement. The plan laid out concrete steps and timelines for implementation, including the necessary adjustments to the existing legal frameworks to accommodate the establishment of the Association/Community of Kosovo Serb municipalities, integration of the Serbian police and judicial structures, and preparation for local elections.

13-40081 (E) 300713

Please recycle

5. Subsequently, Prime Ministers Dačić and Thaçi met in Brussels on 20 June and 8 July. These meetings helped to advance the implementation work, expediting progress, particularly on provisions related to police, judiciary and elections in northern Kosovo, as well as to move forward in their discussion of energy and telecommunications issues. In parallel, the parties have engaged continuously at the expert level in the framework of thematic working groups. Further high-level discussions on implementation were also held during the visit of High Representative Ashton to Belgrade and Pristina on 9 and 10 July.

6. As a result of these intensive efforts, substantial progress has been made by each of the parties in fulfilling obligations under the 19 April agreement. Accordingly, on 27 and 28 June in Brussels, the European Council discussed the progress in the European Union-facilitated dialogue in the framework of its consideration of the next steps in the European Union integration process with regard to Serbia and Kosovo. The Council agreed to open accession negotiations with Serbia and to hold the first intergovernmental conference by January 2014. It also authorized the opening of negotiations between the European Union and Kosovo on a stabilization and association agreement.

7. In June, the parties agreed on the composition of the management team, comprised of representatives from the four northern Kosovo municipalities, that will draft the statute of the Association/Community of the Kosovo Serb municipalities and perform some of its competencies on an ad interim basis. These competencies include economic development, education, health, urban and rural planning and representing the future Association/Community until its formal establishment.

8. The Kosovo authorities announced the holding of municipal elections, including in northern Kosovo, on 3 November 2013. Accordingly, OSCE began preparatory work in consultation with all stakeholders on the modalities for conducting these elections in northern Kosovo.

9. On 26 June, the Assembly of Kosovo ratified the First agreement on principles governing the normalization of relations of 19 April by more than a two-thirds majority of 84 votes, with 3 against and 1 abstaining. The opposition movement Vetëvendosje staged a protest against the ratification of the agreement, during which 17 Kosovo police officers were reportedly injured and more than 60 protesters arrested. In line with the implementation plan, the Kosovo authorities have submitted to the Kosovo Assembly various amendments to laws, respectively on local self-government, rights of communities and the budget.

10. On 11 July, the Assembly of Kosovo approved a revised version of a draft law on amnesty that is intended, inter alia, to facilitate integration of former employees of parallel structures into the Kosovo legal system. A precedent draft of this law had failed to obtain the required two-thirds majority a few days earlier, after concerns arose that it could be open to political misuse.

11. In addition, the Kosovo authorities have approved an amendment to the 2013 Kosovo budget that provides for the funding, through a special Development Trust Fund, for the Association/Community of Kosovo Serb municipalities.

12. On 17 June, in the context of the implementation of the 19 April agreement, the Serbian High Judicial Council issued a decision instructing the three Serbian courts operating in northern Kosovo (Higher Court, Basic Court and Minor Offence Court) to cease receiving new cases and hand over cases received after 15 July.

These new cases will be recorded and kept by these Courts until a proper hand-over procedure to the relevant judicial authorities is agreed upon, in cooperation with EULEX. On 25 June, a Kosovo police Regional Commander for the four northern municipalities was appointed. During the month of June, three police offices of the Serbian Ministry of the Interior were officially closed in northern Kosovo: in Leposavić/Leposaviq, Zvečan/Zveçan and Zubin Potok. The fourth Serbian police office, located in northern Mitrovica, was closed on 5 July.

13. In accordance with an agreement on the exchange of liaison officers reached in December 2012, Belgrade and Pristina deployed their liaison officers on 17 June. These officers, located at the respective offices of the European Union, will facilitate further communication on matters related to the European Union-facilitated agreements.

14. On 9 July, following its visit to Kosovo on 3 July, the North Atlantic Council declared that the Kosovo Security Force had reached its full operational capability. According to the North Atlantic Treaty Organization (NATO), the mission of the Kosovo Security Force will remain the same: to conduct civil protection operations and to assist the civil authorities in responding to natural disasters and other emergencies, including search and rescue, the disposal of explosive ordnance and other humanitarian assistance tasks. NATO will continue to provide support to the Kosovo Security Force through the newly established NATO Liaison and Advisory Team. The mandate of KFOR under resolution 1244 (1999) — to work towards providing a safe and secure environment in Kosovo and freedom of movement for all — remains unchanged.

15. On 1 July, the Minister for the Kosovo Security Force and the Minister of Defence of Albania signed an agreement on the status and procedures related to the temporary deployment of Kosovo Security Force and Albanian military personnel on respective territories.

III. Northern Kosovo and developments on the ground

16. While Pristina and Belgrade have continued discussions on the implementation of the 19 April agreement, many northern Kosovo Serbs continued to voice their opposition to the agreement.

17. The Belgrade-sponsored municipal assemblies held a number of joint sessions during the reporting period, stressing that the Belgrade-Pristina agreement lacked sufficient safeguards for the rights and interests of Kosovo Serbs and that the Constitutional Court of Serbia should pronounce itself on the constitutionality of the agreement.

18. Northern Kosovo Serb political leaders also stressed their commitment to the declaration of the public rally held on 22 April in north Mitrovica protesting the 19 April Brussels agreement. They had then called for the establishment of their own Provisional Assembly of the Autonomous Province of Kosovo and Metohija. Following several postponements, and despite calls from the Belgrade leadership on northern Kosovo Serbs to support the Brussels agreement, this Provisional Assembly was inaugurated on 4 July in Zvečan/Zveçan. Although not recognized by either the Belgrade or the Pristina authorities, it encompasses municipal assembly

members from four northern municipalities and a small number of representatives from other parts of Kosovo.

19. The local Kosovo Serbs also expressed criticism with regard to the establishment of the Management Team to guide the preparation for the future Association/Community of Kosovo Serb municipalities. The municipal assemblies in Zvečan/Zveçan and Leposavić/Leposaviq formally denounced the appointment of the management team, while municipal representatives from northern Mitrovica and Zubin Potok protested the appointment publicly.

20. The Serbian leadership continued to engage with northern Kosovo Serb representatives as part of its outreach efforts in support of the implementation of the 19 April agreement. In addition to contacts in Belgrade, senior Serbian officials, such as the First Deputy Prime Minister, the Director of the Government Office for Kosovo and Metohija, and the Ministers for Education, Health, and Justice, visited Kosovo and met with local representatives and employees of Serbian public institutions.

21. During the reporting period, KFOR maintained full freedom of movement in the north. EULEX monitoring, mentoring and advising activities continued to be carried out at all Kosovo police stations in the north, with the exception of Zubin Potok. EULEX patrolling activities in northern Kosovo continued without major difficulties.

22. On 20 June, for the first time in many months, Kosovo customs and police officers were able to reach gate 1 in Leposavić/Leposaviq by road, rather than by helicopter. However, the transportation of Kosovo customs and police to gate 31 near Zubin Potok continued by air. Notwithstanding the foregoing, the implementation of the integrated border management agreement on crossing points continued without major issues. The use of unauthorized crossing points in the north also continued.

23. The roadblock at the Austerlitz Bridge in central Mitrovica remained, alongside informal obstacles and checkpoints that continue to impede traffic. On 26 June, local leaders initiated the removal of road obstacles between northern Mitrovica to Zvečan/Zveçan.

24. The Pristina-sponsored Mitrovica North Administrative Office continued to face challenges in extending and exercising authority in northern Mitrovica. However, the office was able to complete a number of refurbishment projects and made donations to local schools in northern Mitrovica. It continues to provide a range of Kosovo civil documentation services to the local residents.

25. UNMIK Administration Mitrovica continued its monitoring, mediation and facilitation activities. In this facilitation role, UNMIK Administration Mitrovica has brought together heads of water and electricity companies from northern and southern Mitrovica to explore ways to resolve mutual disputes and practical issues. In cooperation with OSCE, UNMIK Administration Mitrovica also organized meetings of representatives of all local communities to improve coordination among non-governmental organizations (NGOs) working in both northern and southern Mitrovica.

26. UNMIK activities in the Mitrovica region continued to be adapted to the evolving situation in order to provide maximum support for political processes, focusing particularly on issues related to the implementation of the 19 April agreement. In this context, cooperation with key partners on the ground — KFOR, the

European Union and OSCE — has been further strengthened to ensure harmony of collective efforts. Planning has been completed for the implementation of small-scale confidence-building and reconciliation projects in support of these mission objectives and the broader political process.

27. During the reporting period, UNMIK continued to play a mediation and facilitation role in northern Kosovo. Given the continued boycott of the Kosovo institutions by northern Kosovo Serbs, UNMIK served as a communication channel between municipal representatives and minority communities to ensure effective provision of public and social services and, in some cases, facilitated direct contact between the communities. UNMIK continued to utilize its capacity and resources to help defuse tensions and incidents. It continued to work in tandem with other mandate-holding partners to ensure a coordinated approach in the north.

IV. Security

28. The overall security situation in Kosovo remained generally calm during the reporting period, with occasional incidents reported in ethnically mixed areas, but also exhibiting evidence of efforts from all sides to reduce the volatility on the ground as the political dialogue proceeds.

29. In northern Kosovo, the previously reported trend of incidents involving the use of explosive devices has decreased. The number of incidents affecting minority communities throughout Kosovo also decreased compared with the previous reporting period. Familiar categories of incidents of theft, property damage, arson, illegal occupation of houses and other common crimes continued to be reported in minority and ethnically mixed areas. Instances of illegal woodcutting were also reported. On 7 July, a number of woodcutters were injured during an exchange of fire with Serbian security personnel near the administrative boundary. On 30 May, in Podujevë/Podujevo municipality, two Kosovo-Albanians, suspected of involvement in illegal woodcutting operations, were arrested and charged by the Kosovo police. The Kosovo police have responded to crimes affecting the ethnic minorities, which resulted, in some cases, in the prompt arrest of suspects.

30. During July, tensions were reported in northern Mitrovica around the construction of housing for the Kosovo-Albanian internally displaced population. Kosovo Serbs, varying in numbers, held daily protests in the area of Brdjani/Kroi i Vitakut to prevent the construction workers from accessing the site. No serious incidents have been reported and the Kosovo police, KFOR and EULEX have increased their presence around the area. Last November, similar tensions escalated into violence resulting in injuries to a number of people (see S/2012/72, para. 10).

31. The annual Serb pilgrimage in connection with the commemoration of Saint Vitus day (Vidovdan) took place across Kosovo on 28 June. According to the Kosovo police, in three separate incidents, a number of buses were stoned and several pilgrims were slightly injured. An unidentified suspect threw stones towards two buses near Pristina, causing minor injuries to six Serbs and causing property damage. In the village of Hajvali/Ajvalia in Pristina, stones were allegedly thrown by Serbian pilgrims at another bus carrying Kosovo Albanians, resulting in property damage and minor injuries to the driver. All victims received medical treatment and were released. The Kosovo police immediately responded to these incidents

and significantly contributed to a more peaceful conduct of the event as compared to last year.

V. Rule of law

32. UNMIK continued to monitor activities and exercise residual responsibilities in the area of rule of law and cooperate at the technical level with the Ministry of Justice and the Ministry of Internal Affairs of Kosovo and the Ministry of Justice of Serbia.

33. During the reporting period, UNMIK continued to receive requests for mutual legal assistance from countries that have not recognized Kosovo, as well as from the Serbian Ministry of Justice. These requests continue to be transmitted, through EULEX, to the Kosovo Ministry of Justice. UNMIK also continued to facilitate the issuance of the International Criminal Police Organization notices and warrants on a regular basis.

34. UNMIK continued its efforts to support and encourage progress on missing persons. On 31 May, the working group on missing persons held its eleventh public session in Pristina, during which its Chair, the International Committee of the Red Cross, called upon all authorities to come forward with new information. Since the beginning of 2013, EULEX has conducted 30 field operations in the Pejë/Peć, Mitrovica, Suharekë/Suva Reka, Prizren, Gjakovë/Đakovica, Klinë/Klina and Skenderaj/Srbica areas. As a result, the remains of 18 individuals were recovered. There are still 1,726 persons listed as missing from the Kosovo conflict.

35. UNMIK continued to provide document certification services to Kosovo residents and non-recognizing States, such as certification of civil status and pension documents. During the reporting period, requests for certification services by UNMIK for pension-related matters increased dramatically, despite limited resources of UNMIK for processing such requests. Discussions have been initiated with all stakeholders to determine a possible solution.

36. On 29 April 2013, a mixed panel of EULEX and Kosovo judges convicted five of the seven defendants in the "Medicus" organ trafficking case. On 30 April, EULEX announced an investigation against an additional eight suspects, based on evidence revealed during the trial.

37. In late May, EULEX and Kosovo police arrested several members of the so-called Drenica group, who have been charged with crimes against the civilian population at a former Kosovo Liberation Army (KLA) detention facility in Skenderaj/Srbica municipality. The arrests sparked public protests by KLA veterans and their supporters and calls on the Kosovo authorities to release them and to revoke the executive mandate of EULEX.

VI. Returns and communities

38. According to the Office of the United Nations High Commissioner for Refugees (UNHCR), during April and May, 36 displaced persons returned to Kosovo, compared to 159 reported for the same period in 2012.

39. UNHCR also reported that 557 displaced Kosovo Serb families have expressed willingness to return to Kosovo from Serbia, along with 107 Kosovo Roma, Ashkali

and Egyptian families from Montenegro and 47 Kosovo Roma, Ashkali and Egyptian families from the former Yugoslav Republic of Macedonia. UNHCR has assessed that the lack of adequate funds for housing and/or land allocation remains among the major obstacles to voluntary returns. In addition, 1,106 individuals were forcibly repatriated to Kosovo from third countries between January and May 2013, including 406 members of non-Albanian communities.

40. The International Organization for Migration has continued to support both receiving communities and returnees in 29 municipalities throughout Kosovo, under the framework of the European Union Community Stabilization Programme. This support includes the provision of productive business assets and community development projects. During the reporting period, 64 business and community development projects were being completed in Kosovo, benefiting members of the Serb, Roma, Ashkali, Egyptian, Croat, Bosnian, Gorani, Turkish and Albanian communities in Kosovo.

41. UNMIK continued to donate vehicles, containers and information technology equipment to municipalities, religious institutions and civil society groups across Kosovo.

VII. Cultural and religious heritage

42. During the reporting period, UNMIK continued to cooperate and facilitate the activities of the United Nations Educational, Scientific and Cultural Organization (UNESCO) in Kosovo. In July 2013, a UNESCO technical inspection team visited a number of sites currently under reconstruction in Kosovo. With support from Albania, the Russian Federation and Turkey, UNESCO facilitated the restoration of the Church of the Dormition in Graçanicë/Gračanica Monastery, launched the tender for restoration of the Gazi Mehmet Pasha Hammam in Prizren, and signed a contract for restoration of the Roman Catholic cathedral in Prizren. With support from Bulgaria, the restoration of the Ottoman-era fountains in the historic zone of Prizren is also being planned. A contract has been signed with the European Union to renovate the ruins of the medieval fortress in Novobërdë/Novo Brdo.

43. KFOR continued to provide static protection at the Visoki Dečani Monastery and to gradually transfer security responsibility at the Peć Patriarchate to the Kosovo police. UNMIK remains in close contact with KFOR, Kosovo police and UNESCO to ensure a smooth hand-over of protection responsibilities at the Serbian Orthodox sites.

44. The recruitment of police officers to the recently established Kosovo police unit for the protection of cultural heritage was completed in May. This multi-ethnic unit, which is composed of 199 police officers and led by a Kosovo Serb commander, is responsible for ensuring protection at 23 Serbian Orthodox Church sites and regular patrolling at an additional 169 sites. OSCE has provided training for the officers of this unit.

45. The establishment of the cultural heritage councils in Prizren and Hoçë e Madhe/Velika Hoča village, as envisaged by the laws on the historic centre of Prizren and on the village of Hoçë e Madhe/Velika Hoča, were delayed owing to procedural issues. On 18 June, the Assembly of Kosovo Committee on the Rights and Interests of Communities and Returns held a public hearing on the

implementation of these laws and urged the municipalities of Prizren and Rahovec/Orahovac to implement the laws without further delay. As a result, a cultural heritage council was established in Prizren on 2 July, while its establishment in Rahovec/Orahovac is still pending.

46. The Implementation Monitoring Council, established in February 2013, to manage the Protective Zones around a select number of Serbian Orthodox sites, held a number of sessions during the reporting period. It reviewed various cases, related mainly to illegal construction and recommended corrective measures in some of the Special Protective Zones. It also mediated between the Serbian Orthodox Church and local officials, as necessary.

47. During the reporting period, the restoration of tombstones, destroyed or damaged in January at Serbian Orthodox cemeteries in eight municipalities across Kosovo, was completed with public funds provided by the Kosovo authorities. The repairs were carried out in coordination with the Serbian Orthodox Church and the families affected.

VIII. Human rights

48. The United Nations High Commissioner for Human Rights, Navanethem Pillay, visited Kosovo on 19 and 20 June. During her visit, she met, together with my Special Representative, the United Nations Development Coordinator, and the head of the stand-alone office in Kosovo of the United Nations Office of the High Commissioner for Human Rights (OHCHR), with Kosovo officials, the Ombudsperson and representatives of civil society and international community. The High Commissioner positively assessed the legal and institutional framework for human rights protection in Kosovo, while pointing out that its enforcement remains insufficient. She stressed the importance of ensuring an independent judiciary, addressing lengthy pretrial detention, the backlog of cases and the lack of trust in the judiciary, and pointed out some issues of concern, in particular in relation to the adoption of the amnesty law. While encouraging the mainstreaming of human rights into the dialogue between Belgrade and Pristina, the High Commissioner offered the support of OHCHR in Kosovo in ensuring that the Kosovo legislation was in line with international human rights standards.

49. On 10 June, the stand-alone office in Kosovo of OHCHR released a study entitled "Healing the spirit: reparations for survivors of sexual violence related to the armed conflict in Kosovo". The study revealed that nearly 14 years after the end of the conflict, survivors of sexual violence still suffer from social and psychological problems, which are exacerbated by the lack of income-generating opportunities and affordable medical and mental health care. One of the recommendations of the study is to include the survivors of sexual violence committed during the conflict in the framework of the Law on the Status and Rights of the Martyrs, Invalids, Veterans, Members of Kosovo Liberation Army, Civilian Victims of War and Their Families. UNMIK is working closely with local and international actors to encourage the Kosovo authorities to address the issues raised in the study.

50. UNMIK continued its cooperation with the Council of Europe in monitoring the implementation of the Framework Convention for the Protection of National Minorities in Kosovo. In May, the Council of Europe and the European Union

presented the findings of the research project entitled "Main challenges and opportunities in the effective protection and promotion of community rights in Kosovo". The study identified the lack of institutional clarity and weak intragovernmental coordination and capacity as key challenges. UNMIK and its partners are exploring ways to help address these challenges in the near future.

51. Following its submission in February 2013 of the report on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women in Kosovo for the period 1999-2007, UNMIK has been following up on a number of requests from the Committee on the Elimination of Discrimination against Women for additional information. The Kosovo authorities have demonstrated increased willingness to cooperate with UNMIK in preparation of these reports.

IX. Observations

52. During the past months, the positive steps taken by both Belgrade and Pristina in the framework of the European Union-facilitated dialogue have resulted in historic agreements and fundamental progress towards normalization of relations. I welcome the decision of the European Council during its meeting on 27 and 28 June, which reaffirmed the European perspective for the region in keeping with the important strategic commitments made at the European Union summit at Thessaloniki in June 2003.

53. I commend once again the leadership in both Pristina and Belgrade for demonstrating a serious and steadfast commitment to this dialogue. Despite inevitable challenges, both sides have demonstrated vision and capacity to steward this process and build upon the progress achieved to date. This should contribute to the improvement of lives of the local population in Serbia and Kosovo and to greater stability in the region.

54. As indicated in the report, the implementation of the Belgrade-Pristina agreements in northern Kosovo remains a key challenge. Belgrade's engagement with the Kosovo Serbs in this regard remains important. These efforts should be supplemented by Pristina's outreach and assurances to the local population. In order to avoid tensions and achieve success, it is important that the local Kosovo Serbs see themselves as stakeholders in the process. I am pleased that UNMIK is stepping up its efforts and engagement with all appropriate stakeholders on key issues on the ground.

55. It is also essential that the international presences in Kosovo continue to enhance mutual cooperation in order to help set appropriate conditions for the forthcoming and more challenging stages of implementation of the 19 April agreement. I wish to pay tribute to my Special Representative and leaders of other international missions on the ground for working consistently to ensure unity of purpose.

56. The support of the international community to the parties and its engagement in Kosovo remains essential. Beyond their operational support to the political process and the practical implementation of the European Union-facilitated agreements, it is also important that the international community remain committed to addressing the needs of all communities in Kosovo, advancing reconciliation and helping heal the scars of the past conflict. Unresolved legacies of the conflict, including unsolved cases of missing persons, and bringing to account all those

responsible for war crimes and other criminal acts, should remain key priorities. I call on all stakeholders involved in Kosovo to redouble their efforts to accelerate progress in these areas.

57. I thank my Special Representative, Farid Zarif, for his effective and forward-looking leadership of UNMIK during this critical period of engagement between the parties, all UNMIK staff for their dedication in carrying out the tasks of the Mission in support of the broader political process, and all members of the United Nations family for their contribution to consolidating peace and stability in Kosovo.

58. I also extend my gratitude to long-standing partners on the ground, such as the European Union, KFOR, NATO and OSCE, for their contribution and cooperation with UNMIK.

Annex I

Report of the European Union High Representative for Foreign Affairs and Security Policy to the Secretary-General on the activities of the European Union Rule of Law Mission in Kosovo

1. Summary

The European Union Rule of Law Mission in Kosovo (EULEX) continued its monitoring, mentoring and advising activities in the rule of law sector and to implement its executive functions, according to its mandate. One high-profile war crimes case was adjudicated while two others are ongoing. The arrest of seven war crimes suspects of the so-called Drenica Group triggered strong reactions among war veterans associations and politicians alike. A mixed panel of one local and two EULEX judges at Pristina Basic Court found five persons guilty in the "Medicus" illicit organ-trafficking case. Several severe prison sentences were pronounced in corruption and murder cases. The Special Investigative Task Force has continued working pursuant to its mandate to investigate allegations contained in the report by the Council of Europe Special Rapporteur, Dick Marty, on illicit trafficking in human organs. The Task Force has been strengthened institutionally and operationally during the reporting period. In terms of the agreements within the European Union-facilitated dialogue on the normalization of relations between Pristina and Belgrade, EULEX stands ready to facilitate its implementation in the rule of law sector. Implementation of the integrated border management agreement is progressing; all six crossing points are being run in a spirit of good cooperation.

2. EULEX Activities, April to July 2013

General

The regular meeting of the Joint Rule of Law Coordination Board, consisting of the representatives of the Kosovo authorities, the European Union Office in Kosovo/European Union Special Representative and EULEX, was held on 23 May in the European Union Office building in Pristina. The Board continues to be the main forum for assessing progress in the rule of law arena between the European Union and the Kosovo authorities. During the meeting, the Board endorsed a lessons learned document on a first transition from EULEX to Kosovo authorities, of the Financial Intelligence Centre, and discussed the implementation of other road maps, such as the one for the establishment of a prisoner escort in the north of Kosovo and the witness protection unit in Kosovo. The Board tasked the experts on both sides to come up with new road maps, and agreed on a set of indicators designed to measure corruption presented by EULEX.

On 6 and 7 June the Head of Mission visited Belgrade, where he held meetings with Prime Minister Ivica Dačić and other Government officials. During the meetings, the Serbian officials emphasized the importance of the EULEX role and encouraged strengthened cooperation.

War crimes

On 17 April, a panel of three EULEX judges at Mitrovica Basic Court acquitted Jovica Dejanović of the criminal offence of rape as a war crime. Đorđe Bojković, a co-defendant, was acquitted of the charge of war crimes, but was sentenced to a suspended prison sentence of one year and six months for unauthorized ownership, control, possession or use of weapons.

On 18 April, a panel of one local and two EULEX judges started the opening session in the retrial of Fatmir Limaj et al. ("Kleçka/Klečka" war crimes case). On 19 April, the EULEX presiding judge issued an order extending house detention for all 10 co-defendants until 19 June. Subsequently, Fatmir Limaj et al. were returned to house detention for another two months. On 4 July, the trial panel at Pristina Basic Court ordered the release from house detention of all 10 defendants, but on 15 July the Court of Appeals once more ordered the defendants to be put under house arrest.

On 24 April, EULEX prosecutors formally initiated the investigation into war crimes committed in and around Mejë/Meja in the municipality of Gjakovë/ Djakovica. So far, prosecutors have identified approximately 20 defendants suspected of war crimes against the Kosovo Albanian population, including the killings of 372 victims.

On 23 May, EULEX police, in coordination with the Kosovo police, arrested seven persons (including the Kosovo Ambassador to Albania Sylejman Selimi and the Mayor of Skenderaj/Srbica Sami Lushtaku) on charges of war crimes committed at a Kosovo Liberation Army (KLA) detention centre ("Drenica group" case). On 24 May, a EULEX judge from Pristina Basic Court ordered house detention for the period of one month for all of them. On 1 June, the Court of Appeals in Pristina modified the decision to detention on remand. The main reason for ordering detention on remand is the danger of obstructing the criminal proceedings by influencing witnesses.

On 7 June a verdict was pronounced in the prominent war crimes case of the so-called "Llapi group". A panel of one local and two EULEX judges sentenced Latif Gashi (current Member of Parliament) to six years of imprisonment, while his co-defendants, Nazif Mehmèti and Rrustem Mustafa, received sentences of three years and four years, respectively.

On 4 June, EULEX police arrested Shefki Hyseni, charged with rape as a war crime. He is in detention on remand.

The war crimes trial against Sabit Geci et al. continues. All three defendants were arrested on 15 November 2012 and are presently in house detention. They are accused of killing two Kosovo Albanians during the conflict in 1999.

Organized crime and corruption

On 17 April, EULEX filed an indictment against a Kosovo Albanian charged with unauthorized distribution and sale of narcotic drugs, organized crime and unauthorized possession of weapons. The defendant had been arrested in October 2012 as part of a joint operation between EULEX and the Kosovo police.

On 19 April, EULEX filed an indictment at Prizren Basic Court against an individual charged with organized crime and smuggling of migrants. The defendant

was arrested in April 2012 as part of a joint operation between EULEX and the Kosovo police. He is also alleged to be a key member and organizer of a transnational criminal group that operates throughout the Balkans and in Turkey, Hungary, Austria, Italy, Slovenia, Croatia, France, Germany, Greece, the Czech Republic and Slovakia. The defendant was arrested during the so-called Fimathu operation, which was conducted on 29 January 2013 under the umbrella of the European Union Police Office (EUROPOL). During that operation, 103 suspects were arrested in 10 countries and 117 searches were conducted. Three persons were also arrested in Kosovo on the same European common action day; 12 others of the same criminal network had already been arrested in Kosovo in 2011 and 2012. Indictments against three other defendants were filed in December 2012 and February 2013.

On 19 April, a EULEX judge ordered house detention for one month against five suspects and ordered five other suspects to report to the police station once a week for a month. The suspects, who were arrested during an operation led by the Kosovo police, are being investigated, inter alia, for corruption and organized crime. The allegations against them relate to the making of an unlawful bid for land that was sold off by the Privatization Agency of Kosovo in 2009.

On 29 April, a mixed panel of one local and two EULEX judges at the Pristina Basic Court found five persons guilty in the Medicus case. Lutfi Dervishi was found guilty on charges of organized crime and trafficking in persons. He was sentenced to eight years imprisonment. His son Arban Dervishi was sentenced to seven years and three months. The three other defendants were sentenced to prison terms between one and three years.[1] On 30 April, the Special Prosecution Office of Kosovo filed an order to conduct investigations against eight suspects for organized crime, trafficking in persons, grievous bodily harm, abusing official position of authority, fraud and trading in influence. The investigations are connected to the Medicus case. There are grounded suspicions that the above-mentioned suspects acted in co-perpetration or were directly or indirectly instrumental to the members of the criminal organized group in the commission of serious offences; that is, trafficking in persons for the purpose of organ removal.

On 5 June, a joint search operation was carried out by EULEX police and Kosovo police in relation to the so-called passport case. The search was ordered as part of the investigation into the theft of 1.4 million euros that occurred in the context of a contract for biometric passports at the Ministry of Internal Affairs. The existing investigation has been expanded to include new charges and seven new defendants. The defendants are now being investigated in relation to, inter alia, organized crime and money-laundering.

On 7 May, EULEX police arrested Naser Kelmendi, a fugitive from justice in Bosnia and Herzegovina. He had been previously arrested by the Kosovo police, but had to be released after 48 hours because Kosovo does not have an extradition agreement with Bosnia and Herzegovina. On 9 May, Kelmendi was placed in detention on remand. On 13 May, his son, Elvis Kelmendi, who was prosecuted by a mixed team of EULEX and local prosecutors, was sentenced to four years

[1] Upon the public announcement of the judgment, both the defence and the prosecution announced the appeal.

imprisonment for attempted murder in Bosnia and Herzegovina by a panel of three Kosovo judges.

On 23 May, a three-judge panel presided over by a EULEX judge sentenced former Head of the Anti-Corruption Task Force of the Special Prosecutor Office of Kosovo, Nazmi Mustafi, to five years imprisonment on corruption charges. His three co-defendants received sentences ranging from six months to four years.

On 14 June, a mixed panel of one local and two EULEX judges sentenced Kolë Puka (a former judge) to 11 years and 6 months and Avdullah Robaj to one-and-a-half years of imprisonment for corruption.

On 18 June, Ilir Tolaj (former Permanent Secretary of the Ministry of Health) was sentenced to 18 months of imprisonment for his involvement in the so-called Ministry of Health case; Bujar Bukoshi (former Deputy Prime Minister) was acquitted.

On 28 June, a panel of EULEX and Kosovo judges acquitted five defendants in the so-called PTK case. The defendants had been charged, inter alia, with abusing official position.

On the same day a panel of three local judges from Pristina Basic Court formally accepted three plea agreements in a migrant smuggling case. A fourth defendant pleaded guilty in court. All charges relate to smuggling and attempted smuggling of migrants to the United States of America between 2009 and 2011. One defendant was acquitted, while the other three received sentences ranging from 16 to 22 months of imprisonment. Another perpetrator related to this case was arrested in Albania in 2012 and extradited to the United States, where he also pleaded guilty. The case was prosecuted in a mixed team by a EULEX prosecutor and a local prosecutor from the Pristina Basic Prosecution Office.

Other key cases

On 23 May, Mitrovica Basic Court pronounced a judgment in a murder case. The three EULEX judges sentenced Agron Miftari to 11 years imprisonment for the murder of a 23-year-old man in Mitrovica.

A panel of two EULEX judges and a local judge continued the trial against Valon Jashari et al. The case involves multiple defendants and charges of terrorism related to attacks against Serbs in 2012 at the crossing point near Dobrosin, about 13 km from Gjilan/Gnjilane.

On 5 June, a mixed panel of EULEX and Kosovo judges acquitted all five defendants in the so-called Balkan Investigative Reporting Network case, where threats were made to the life of a journalist. Sami Lushtaku, Rexhep Hoti, Avni Azemi, Rizah Hajdari and Qani Mehmedi had been charged with violating equal status of residents of Kosovo and threats.

On the same day, a panel of three EULEX judges at Mitrovica Basic Court delivered a verdict in the murder case of Goxhuli et al. One defendant was acquitted, while the three others received sentences ranging from 1 to 20 years of imprisonment.

On 27 June, the Kosovo police arrested two suspects in the investigation into the murder of Palush Sokoli in 1999. Sokoli, who was disabled, was allegedly taken

from his house and later found dead in the Pejë/Peć region. The autopsy performed at the Department of Forensic Medicine found signs of a gunshot injury. The case is being investigated by a mixed team of EULEX and Kosovo prosecutors.

On 3 July, Nazim Bllaca pleaded guilty to the commission of aggravated murder. The verdict is scheduled to be announced on 19 July.

Special Investigative Task Force

The Special Investigative Task Force continued its active operational work investigating the allegations contained in the January 2011 report by the Council of Europe Special Rapporteur, Dick Marty, entitled "Inhuman treatment of people and illicit trafficking in human organs in Kosovo". These criminal allegations include abduction, detention, mistreatment and killings, as well as the much-publicized allegations of organ harvesting and trafficking.

During the reporting period, the Special Investigative Task Force continued its strong cooperation with judicial and law-enforcement authorities in the region, which has led to good progress in its investigative and operational activities. As in the last reporting period, activities focused on engagement with injured parties, victims groups and individuals in order to gather information relevant to the investigation.

With respect to staffing, additional staff joined the team, including two additional operational and one additional administrative staff. All are critical to ensuring that necessary logistics are in place for the extensive staff movements currently under way and that the Special Investigative Task Force has the ability to effectively collect, analyse and process the information being gathered through witness interviews.

Over the last quarter, Lead Prosecutor Clint Williamson continued his visits to ensure ongoing political and operational support of Governments, the European Union and international organizations. In late April he travelled to Kosovo and met with Deputy Prime Minister and Minister of Justice Hajredin Kuçi, Head of UNMIK and Special Representative of the Secretary-General Farid Zarif, European Union Special Representative and Head of the European Union Liaison Office in Kosovo Samuel Žbogar, and senior EULEX and NATO officials. Deputy Prime Minister Kuçi reiterated Kosovo's support for a full criminal investigation under the auspices of the Special Investigative Task Force.

Williamson also travelled to Belgrade in late April, meeting with Prime Minister Ivica Dačić, War Crimes Prosecutor Vladimir Vukčević and the local association for missing persons. The Prime Minister assured his support and that of other Government institutions for the Special Investigative Task Force. Williamson noted that he enjoys a strong cooperative working relationship with the Serbian War Crimes Prosecutor, and reiterated that the Task Force is looking at a range of crimes committed, which includes but is not limited to organ trafficking. During an emotional, but positive meeting with representatives of the local association for missing persons, Williamson described the mandate of the Task Force and expressed his interest to try to resolve as many cases as possible. Williamson thanked the association for its support and willingness to encourage their members to come forward and cooperate with the Task Force.

Property rights

The Kosovo Property Claims Commission held one session. It adjudicated 667 mainly inter-ethnic property claims. The total number of adjudicated claims stands at 38,089 with 4,355 still to be resolved.

From 16 April until 25 June 2013, the Kosovo Property Agency Appeals Panel received 41 new appeals and adjudicated 37 appeals.

During the reporting period, the Special Chamber of the Supreme Court rendered 306 decisions in trial panel cases. The Special Chamber also closed 32 workers list cases (comprising 819 individual workers' complaints) and finalized 65 cases at the Appellate Panel level.

Legislation

On 6 June, the Assembly voted to withdraw the draft law on interception of telecommunications. EULEX had advised that the law went against best European practices and had advocated for its amendment.

On 27 June, the Assembly, by a two-thirds majority, adopted a law on the ratification of the "First agreement of principles governing the normalization of relations".

On 25 June, the authorities in Pristina approved the draft Law on Amnesty. The law was discussed at the plenary session of the Assembly on 4 July, but failed to receive the necessary number of votes for its adoption and was returned for amendments. A new version of the law was approved by the authorities on 5 July. On 11 July, the law was finally adopted by the Kosovo Assembly. The law represents a crucial step towards the implementation of the dialogue agreement.

Other key issues

The arrests of seven persons on charges of war crimes on 23 and 24 May, and the subsequent house detention ordered by a EULEX judge on 24 May, triggered a variety of reactions. The arrested persons — the "Drenica Group" — were identified by media as having exerted considerable influence over the Drenicë/Drenica region during the Kosovo conflict and in its aftermath. In a strong response to the arrests, several war veterans associations called for an end to the EULEX mandate. On 27 May, the associations organized a protest that was attended by approximately 5,000 persons; the protest ended peacefully. On the political level, Vetëvendosje fiercely criticized the arrests and reiterated its position against the continuation of international presence in Kosovo, which, in the view of Vetëvendosje, infringes on Kosovo sovereignty. The Ministry of Foreign Affairs issued a statement expressing belief in the innocence of one of the accused. Also, the President of the Assembly and a number of Assembly members publicly criticized EULEX and stated that the Mission was not neutral.

The Kosovo authorities stated that it believes "in the fair fight of KLA commanders and fighters, the fight of Kosovo for freedom, independence, a democratic state and a close partnership with the international community, with the United States, the European Union and NATO". The majority of political parties (Democratic Party of Kosovo, Democratic League of Kosovo, Alliance for the Future of Kosovo), echoed the statement expressing their belief that "the KLA war

was just and the accused people are innocent". The Court of Appeal took public statements on the above-mentioned case into account in issuing its ruling on 31 May. More specifically, the Court ruled that "critical public statements" qualified as "unconstitutional interference with the judiciary" and that it constituted "unacceptable attempts to intimidate prosecutors and judges involved in the case".

The Vidovdan (St. Vitus Day) celebrations on 28 June passed with only minor security incidents. The religious service at Gazimestan was attended by approximately 3,000 people. The two incidents of stones thrown at buses carrying pilgrims and one at a regular service bus carrying Kosovo Albanian passengers were regrettable, but the Kosovo police response was appropriate. EULEX worked with the Kosovo police to ensure that celebrations took place in a safe and secure environment and to safeguard respect for human and fundamental rights.

The unfixing process of the Pejë/Peć Patriarchate is ongoing, and a number of meetings with relevant stakeholders took place throughout June. The Kosovo police, in consultation with the Kosovo Force, is responsible for reviewing the threat assessment upon which the Kosovo police resource levels will be based.

The north

In terms of security incidents, the relative paucity, amid political developments, was interrupted on two occasions. On 16 April, unknown person(s) fired at a building in Zubin Potok that houses the local radio station "Kolašin" and where the station owner lives. On 18 June, an unidentified explosive device was thrown by unknown suspect(s) in a neighbourhood of northern Mitrovica damaging three vehicles and windows of buildings nearby. No injuries were reported.

Dialogue implementation

The large-scale project to implement the European Union-facilitated dialogue agreement between Belgrade and Pristina on civil registry books is running at a normal pace without significant difficulties. On 5 April, the second extraordinary Project Steering Committee meeting took place in Niš, southern Serbia, in order for all parties to agree on increasing the project's capacity and extending its duration. There was an agreement to hire 40 additional staff, and to have a second shift of five additional working hours a day. The project involving EULEX, the European Union Office in Kosovo/European Union Special Representative, the Danish Refugee Council and the teams from Kosovo and Serbia is expected to be completed in mid-March 2014. During April, the project was focused on the civil registry books for Pristina and Podujevë/Podujevo. In May and June, the project focused on the municipalities of Podujevë/Podejuvo, Gjilan/Gnjilane and Kamenicë/Kamenica. Upon the request of the Serbian delegation, EULEX now provides certification on a weekly basis when there is a sufficient number (approximately 180) of civil registry books ready for certification. During the reporting period, a total of 2,932 civil registry books were certified. This brings the total handover number to 4,770. All preparations to start the hardcover binding of certified copies of civil registry books have been completed.

The implementation of the integrated border management agreement is also progressing. All six crossing points are being run in a spirit of good cooperation. In addition, local (weekly) and regional (monthly) meetings are being held in line with the action plan, and the locations alternate between Kosovo and Serbia. One of the

main agenda points is the commitment from both sides to introduce "easing of traffic" procedures for the busy summer season. On 5 June, an agreement was reached to harmonize operational plans. Both sides will ensure facilitation of movement of travellers, and an information campaign will notify travellers that Mutivodë/Mutivode (ex-gate 4) may be used as an alternative crossing point to the long waiting times at Merdarë/Merdare (ex-gate 3).

An implementation group meeting held in Brussels on 25 April discussed a number of issues, including permanent crossing points, the state of play of the interim crossing points, phytosanitary and veterinary procedures, mutual legal assistance and implementation of the freedom of movement agreement.

The freedom of movement agreement is fully implemented at the crossing points in the southern part of Kosovo.

Starting on 20 June, Kosovo customs and police officers have concluded successful daily shift rotations to the Rudnica/Jainjë (ex-gate 1) crossing point by road. However, rotations to Běrnjak/Tabalije (ex-gate 31) are still carried out by helicopter.

EULEX representatives verified the closure of the Serbian Ministry of the Interior premises in Leposavić/Leposaviq on 14 June, Zvečan/Zveçan on 21 June and Zubin Potok on 26 June. The closure of the Serbian Ministry of the Interior premises in northern Mitrovica was verified on 5 July. Also in June, the new regional police commander for Kosovo's north assumed his post, in accordance with the Belgrade-Pristina agreement on normalization of relations.

With regard to the procedures on mutual legal assistance, Pristina continues to send requests for mutual legal assistance through EULEX to Belgrade. However, since the procedures came into force, Belgrade has sent only one request through EULEX to Pristina. Moreover, Belgrade has not responded to any request from Pristina since the entry into force of the procedures on 20 March.

Approved by Bernd Borchardt
Head of Mission

Annex II

Composition and strength of the police and military components of the United Nations Interim Administration Mission in Kosovo (as at 15 July 2013)

Police component

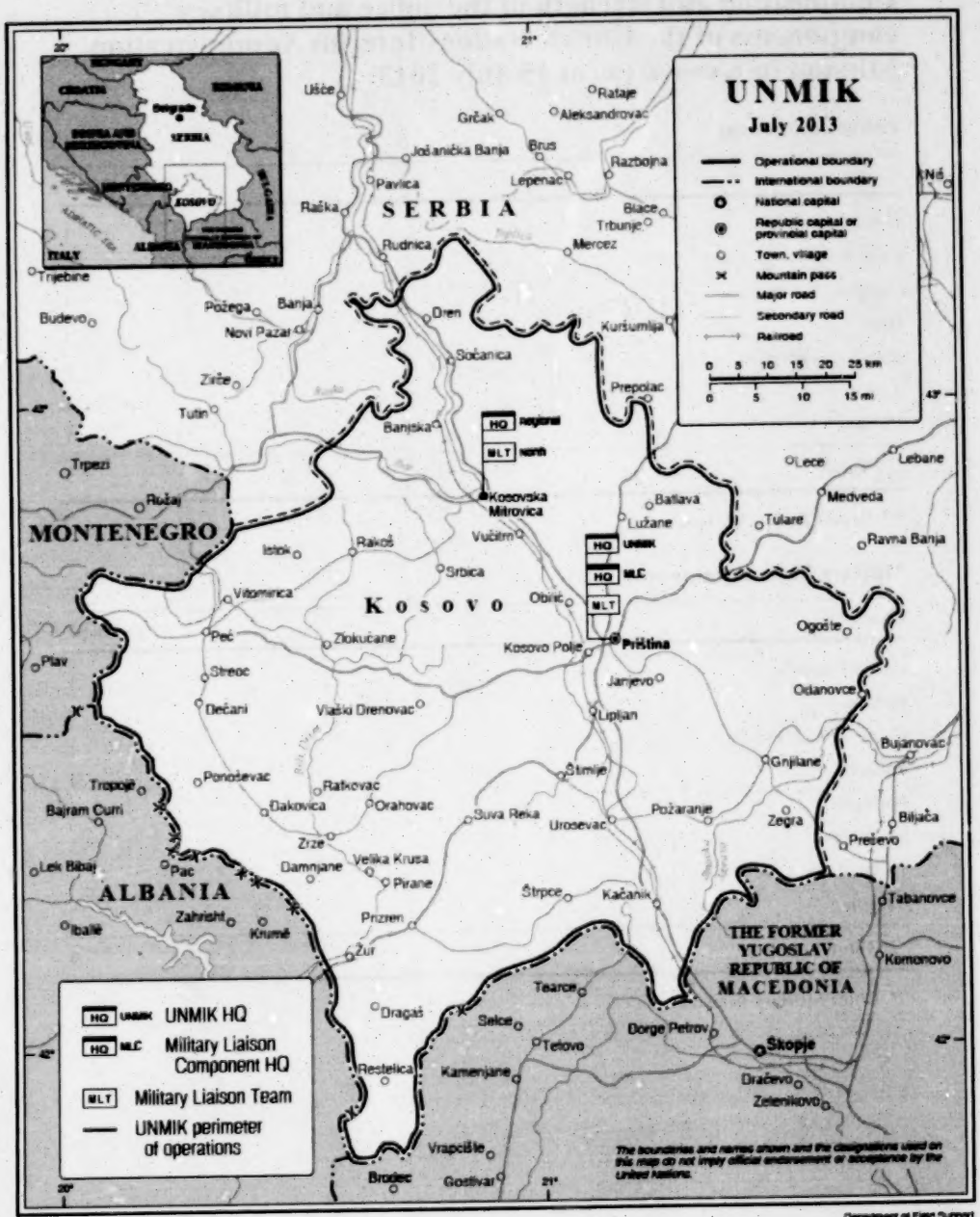
Country	*Number*
Croatia	1
Germany	1
Hungary	1
Italy	1
Russian Federation	1
Turkey	1
Ukraine*	1
Total	**7**

* Senior Police Adviser.

Military liaison component

Country	*Number*
Czech Republic	1
Norway	1
Republic of Moldova	1
Poland	1
Portugal*	1
Romania	1
Turkey	1
Ukraine	2
Total	**9**

* Chief Military Liaison Officer.


UNMIK
July 2013
Operational boundary
International boundary
National capital
Republic capital or provincial capital
Town, village
Mountain pass
Major road
Secondary road
Railroad
SERBIA
MONTENEGRO
Kosovo
ALBANIA
THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA
Priština
Kosovska Mitrovica
UNMIK HQ
Military Liaison Component HQ
Military Liaison Team
UNMIK perimeter of operations
The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.
Map No. 4133 Rev. 55 UNITED NATIONS
July 2013
Department of Field Support
Cartographic Section